

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

FRANKLIN WOODS,

Petitioner,

: Case No. 1:20-cv-618

- vs -

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

WARDEN, Warren Correctional
Institution

:

Respondent.

**DECISION AND ORDER DENYING RENEWED MOTION FOR
DISCOVERY**

This habeas corpus case is before the Court on Petitioner’s Motion for Discovery (ECF No. 29). In the Motion he seeks to require Respondent to furnish directly to the Court “authentic copies” of the two interrogations to which he was subject and the results of which were admitted against him in evidence. Woods contends that these two interrogations, conducted by Lawrence County Children services worker Randy Thompson and Lawrence County Deputy Sheriff B. K. Chaffins, were custodial in nature and taken without proper *Miranda* warnings.

Although the Motion is captioned as one for discovery, in essence it is a motion to expand the record, because Woods wants this Court to consider the content of these interrogations and asks that they be sent directly to the Court.

The second piece of discovery Woods seeks is his mental health diagnosis and prescription list from “Shawnee Mental Health” (ECF No. 29, PageID 1724). He claims this evidence would

show the medications he was prescribed and the side effects, which would show his statement were involuntary. *Id.*

The Magistrate Judge has now several times denied prior motions by Woods for discovery or to expand the record for the basic reason that this Court is confined to the record before the state courts in deciding whether to defer to those courts' decisions under 28 U.S.C. § 2254(d). *Cullen v. Pinholster*, 563 U.S. 170 (2011). The same authority compels rejection of the instant Motion for Discovery which is DENIED.

April 27, 2021.

s/ *Michael R. Merz*
United States Magistrate Judge